

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

REGIONS BANK

PLAINTIFF

vs.

CIVIL ACTION NO. 3:08cv158 DPJ - JCS

MISSISSIPPI CENTRAL REHABILITATION  
and FRANK K. WILEY

DEFENDANTS

ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT

On February 24, 2009, the Court heard Plaintiff Regions Bank's Motion for Default Judgment ("Motion") in the above styled and numbered cause. After considering the Plaintiff's Motion and the Plaintiff's Supplemental Affidavit in Support of Its Motion For Default Judgment filed on May 7, 2009, the Court finds as follows:

1. Plaintiff should be awarded a judgment by default against the Defendants in the principal sum of \$91,645.60, the principal balance owed, plus \$12,797.65, the interest accrued as of March 2, 2009. Interest shall continue to accrue at the contract rate equal to the Prime Rate of the Bank in effect from time to time, as designated by the Bank (the "Prime Rate") plus 0.250% until it is paid in full.

2. Plaintiff should further be awarded its attorneys fees in the amount of \$3,122.50, which reflects the amount incurred as of the date of the hearing on February 24, 2009.

3. Finally, Plaintiff is entitled to its attorney fees incurred in executing on this Judgment. Should the Plaintiff and Defendant be unable to agree on the reasonableness of the attorney fees incurred in executing on this Judgment, this Court hereby retains jurisdiction to resolve the dispute. It is, therefore,

ORDERED that Regions Bank shall be and hereby is awarded Judgment by Default in its favor and against Mississippi Central Rehabilitation and Frank K. Wiley, jointly and severally, in the total amount of \$107,565.75, together with interest at the contract rate equal to the Prime

Rate of the Bank in effect from time to time, as designated by the Bank (the “Prime Rate”) plus 0.250%. It is further ordered that the District Clerk shall enroll this Judgment in the official Judgment Roll of this District as provided by law. Finally, it is ordered that this Court shall retain jurisdiction over this matter to resolve any dispute over the reasonableness of Plaintiff’s attorney fees in executing on this Judgment.

FOR ALL OF WHICH LET EXECUTION ISSUE.

**SO ORDERED AND ADJUDGED** this the 11<sup>th</sup> day of May, 2009.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE

Submitted by:

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